

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1787

Introduced by Assembly Member Lowenthal

February 18, 2014

An act to amend Section 21019 of, and to add Section 21668.3 to, the Public Utilities Code, relating to aviation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1787, as amended, Lowenthal. Airports: commercial operations: lactation accommodation.

(1) Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee who desires to express breast milk for the employee's infant child. Existing federal law requires employers to provide the employee with the use of a room, other than a bathroom, for the employee to express breast milk, as specified.

This bill would, except as specified, require, on or before January 1, 2016, the airport manager of an airport that conducts commercial operations and that has more than 1,000,000 enplanements a year to provide a room or other location at each airport terminal behind the airport security screening area for members of the public to express breast milk in private that meets specified conditions.

(2) Because the bill would impose new duties on local public officials, the bill would create a state-mandated local program.

(3) A violation of the State Aeronautics Act is a crime.

The bill would expressly exclude its provisions as a crime under the act.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21019 of the Public Utilities Code is
2 amended to read:

3 21019. Any person violating any of the provisions of this part,
4 other than Section 21407.1 or 21668.3, or any of the rules or orders
5 issued under this part, is punishable by a fine of not more than one
6 thousand dollars (\$1,000) or by imprisonment of not more than
7 six months, or both.

8 SEC. 2. Section 21668.3 is added to the Public Utilities Code,
9 to read:

10 21668.3. (a) On or before January 1, 2016, the airport manager
11 of an airport that conducts commercial operations and that has
12 more than one million enplanements a year shall provide a room
13 or other location at each airport terminal behind the airport security
14 screening area for members of the public to express breast milk
15 in private that meets both of the following conditions:

16 (1) Includes, at a minimum, ~~a chair, an electrical outlet, and a~~
17 ~~sink~~; *chair and an electrical outlet.*

18 (2) Is located outside of the confines of a public restroom.

19 (b) Terminal One at the San Diego International Airport is
20 exempt from providing a room or other location behind the airport
21 security screening area, but shall provide a secure room located
22 in the same terminal prior to entering the security screening area
23 that meets all of the other conditions of subdivision (a).

24 (c) ~~Airports that conduct~~ *An airport that conducts* commercial
25 operations with less than one million enplanements a year shall
26 comply with ~~subdivision~~ *subdivisions* (a) and (d) upon new

1 terminal construction or the ~~modernization of existing terminal~~
2 ~~facilities~~; *replacement, expansion, or renovation of an existing*
3 *terminal.*

4 *(d) Upon construction of a new terminal or the replacement,*
5 *expansion, or renovation of an existing terminal, an airport shall*
6 *provide a sink in any room or other location designated to comply*
7 *with this section.*

8 SEC. 3. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.